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 BARRY COHEN, CHRIS COHEN (aka CHRISTENE COHEN), the F/V POINT LOMA and  
 Claimant, F/V POINT LOMA Fishing Company, Inc.

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

DEL MAR SEAFOODS, INC.,  
 Plaintiff,

v.

BARRY COHEN, CHRIS COHEN (aka  
 CHRISTENE COHEN), *in personam* and,  
 F/V POINT LOMA, Official Number  
 515298, a 1968 steel-hulled, 126-gross ton,  
 70.8 foot long fishing vessel, her engines,  
 tackle, furniture apparel, etc., *in rem*, and  
 Does 1-10,  
 Defendants.

No. C-07-2952-WHA

**DEFENDANT CHRISTENE COHEN'S  
 APPLICATION FOR PERMISSION TO  
 APPEAR BY TELEPHONE AT  
 SETTLEMENT CONFERENCE**

**Settlement Conf.: May 1, 2008**

**Time: 10:00 a.m.**

**Place: Judge Larson's Chambers**

Pursuant to the Court's notice of Settlement Conference and Settlement Conference Order dated April 17, 2007, Defendant Christene Cohen makes the following application to the Court and respectfully requests permission to appear by telephone at the above noticed settlement conference.

Christene and Barry Cohen are legally married, although they are currently separated and in the midst of divorce proceedings. Declaration of Christene Cohen in Support of Application for Appearance by Telephone at ¶2.

Personal attendance by Ms. Cohen at the settlement conference would cause a substantial hardship for her. She currently resides in Scottsdale, Arizona. *Id.* at ¶1. She cannot afford the financial expenses required to travel to San Francisco to attend the settlement conference in person. *Id.* at ¶3 Traveling to San Francisco would also require her to miss at least one, if not two, days of work and she cannot afford to take time off from her job in Scottsdale. *Id.*

Ms. Cohen's appearance by telephone instead of in person will not hamper Defendants' ability to participate in good faith settlement discussions. Ms. Cohen is available to appear by telephone for the duration of the settlement conference on Thursday, May 1, 2008. *Id.* at ¶4. She will be represented by counsel at the settlement conference and desires to be consulted individually regarding any proposed settlement agreement. Moreover, Barry Cohen, the other individual defendant, will be present in person at the settlement conference.

For these reasons, Defendants respectfully request that Ms. Cohen's application for permission to appear by telephone be granted.

DATED this 24<sup>th</sup> day of April, 2008.

Respectfully submitted,

/s/ Gwen Fanger  
James P. Walsh  
Gwen Fanger

DAVIS WRIGHT TREMAINE LLP  
Attorneys for Defendants, BARRY COHEN,  
CHRIS COHEN, F/V POINT LOMA and the  
F/V POINT LOMA FISHING COMPANY,  
INC.

April 28, 2008.

